



Lauren D. Godfrey
One PPG Place, 28th Floor
Pittsburgh, Pennsylvania 15222
Lauren.Godfrey@lewisbrisbois.com
Direct: 412.567.5113

October 19, 2022

File No. 39395.609

VIA Via email - DOJ-CPB@doj.nh.gov

Attorney General John Formella
Office of the Attorney General
Consumer Protection Bureau
33 Capitol Street
Concord, NH 03301
Phone: (603) 271-3643
Fax: (603) 271-2110

Re: Notification of Data Security Incident

Dear Attorney General Formella:

Lewis Brisbois Bisgaard & Smith LLP represents Ryan Faenza Carey, P.C. ("RFC Law") in connection with a recent data security incident described in greater detail below. The purpose of this letter is to notify you of the incident in accordance with New Hampshire's data breach notification statute, N.H. Rev. Stat. §§ 359-C:19 - C:21.

1. Nature of the Security Incident

On April 9, 2022, RFC Law discovered unauthorized activity on its systems. In response, it immediately took steps to terminate the activity and to secure its network, systems, and data. In addition, RFC Law retained independent cybersecurity experts to conduct a forensic investigation into the incident and assist in determining what happened.

The forensic investigation determined that there was unauthorized access to files stored within RFC Law's systems. RFC Law then worked diligently to identify individuals whose information may have been impacted, as well as their current address information so RFC Law could notify all potentially impacted individuals about the incident. That process was completed on October 17, 2022.

Out of an abundance of caution, RFC Law is notifying all potentially impacted individuals of the incident, providing them with steps they can take to protect their personal information, and offering them free credit and identity monitoring services.

2. Number of Affected New Hampshire Residents & Information Involved

The incident involved personal information for approximately 9 New Hampshire residents. The information involved in the incident may differ depending on the individual but may include the

following for affected New Hampshire residents: Social Security number and financial account number. RFC Law has no reason to believe that the information involved has been or will be published, shared, or otherwise misused.

3. Notification to Affected Individuals

On October 19, 2022, notification letters will be sent to affected New Hampshire residents by USPS First Class Mail. The notification letter provides resources and steps individuals can take to help protect their information. The notification letter also offers 12 months of complimentary identity protection services to each individual whose Social Security numbers was affected by this event, including credit monitoring, dark web monitoring, \$1 million identity fraud loss reimbursement policy, and fully managed identity theft recovery services. A sample notification letter is enclosed.

4. Measures Taken to Address the Incident

In response to the incident, RFC Law retained cybersecurity experts and launched a forensics investigation to determine the source and scope of the compromise. RFC Law is in the process of implementing additional security measures to further harden its digital environment in an effort to prevent a similar event from occurring in the future.

In addition, RFC Law has reported the incident to the Federal Bureau of Investigation ("FBI") and will cooperate fully to assist with any investigation.

Finally, RFC Law is notifying the affected individuals and providing them with steps they can take to protect their personal information as discussed above and reporting the incident to nationwide consumer reporting agencies (i.e., Equifax, Experian, and Transunion).

5. Contact Information

If you have any questions or need additional information regarding this incident, please do not hesitate to contact me at Lauren.Godfrey@lewisbrisbois.com or 412.567.5113.

Sincerely,

Lauren D. Godfrey of
LEWIS BRISBOIS BISGAARD & SMITH LLP

LDG:mff

Encl.: Sample Notification Letter

cc: Michael F. Ferragamo, Lewis Brisbois (Michael.Ferragamo@lewisbrisbois.com)



Return Mail to IDX
10300 SW Greenburg Rd.
Suite 570
Portland, OR 97223

TO ENROLL, PLEASE CALL:

1-800-939-4170

OR VISIT:

<https://app.idx.us/account-creation/protect>

Enrollment Code: <<XXXXXXXXXX>>

<<First Name>> <<Last Name>>

<<Address1>>

<<Address2>>

<<City>>, <<State>> <<Zip>>

October 19, 2022

RE: Notice of Data <<VARIABLE FIELD 1>>.

Dear <<First Name>> <<Last Name>>,

I am writing to inform you of an incident that may have involved your personal information. Ryan Faenza Carey, P.C. ("RFC Law") takes the privacy and security of your information very seriously, which is why we are informing you of the incident and offering you complimentary credit monitoring and identity protection services. Please read this letter carefully as it contains information regarding the incident, the type of information potentially involved, and the steps that you can take to help protect your information.

What Happened: On April 9, 2022, we discovered unauthorized activity on our systems. In response, we immediately took steps to terminate the activity and to secure our network, systems, and data. In addition, we retained independent cybersecurity experts to conduct a forensic investigation into the incident and assist us in determining what happened. The forensic investigation determined that there was unauthorized access to files stored within our systems. We then worked diligently to identify individuals whose information may have been impacted, as well as their current address information so we could notify all potentially impacted individuals about the incident. That process was completed on **October 17, 2022**. Out of an abundance of caution, RFC Law is notifying all potentially impacted individuals of the incident, providing them with steps they can take to protect their personal information, and offering them free credit and identity monitoring services. Please note that to date, we have no reason to believe that your information has been misused as a result of this incident. Nevertheless, we are notifying you and providing resources to help protect your information.

What Information Was Involved: The data involved may have included your <<VARIABLE FIELD 2>> <<VARIABLE FIELD 3>>.

What We Are Doing: After the steps described above, we implemented additional security measures to protect our digital environment and minimize the likelihood of future incidents. We also reported the incident to the Federal Bureau of Investigation and will cooperate to help identify and prosecute those responsible.

In addition, we are offering you <<12 or 24>> months of complimentary identity theft protection services through IDX, a data breach and identity recovery services expert. The identity protection services include <<12 or 24>> months of credit and CyberScan monitoring, a \$1,000,000 insurance reimbursement policy, and fully managed id theft recovery services at no cost to you. To receive these services, you must be over the age of 18 and have a Social Security number, an established credit file, and a residential address in the United States that is associated with your credit file.

What You Can Do: You can enroll in the complimentary identity protection services offered in this letter by calling **1-800-939-4170** or visiting <https://app.idx.us/account-creation/protect> and using the Enrollment Code provided at the top of this letter. Please note that the deadline to enroll is **January 19, 2023**. You can also review the enclosed sheet that provides additional steps you can take to help protect your information.

For More Information: If you have any questions regarding the incident or would like assistance with enrolling in the identity protection services offered, please call **1-800-939-4170**, Monday through Friday from 9:00 a.m. to 9:00 p.m. Eastern Time.

The privacy and security of your information is a top priority for Ryan Faenza Carey, P.C. We take this incident very seriously and we regret any worry or inconvenience this may cause you.

Sincerely,

Kara Carey, Esq.
Ryan Faenza Carey, P.C.

STEPS YOU CAN TAKE TO PROTECT YOUR PERSONAL INFORMATION

1. Website and Enrollment. Go to <https://app.idx.us/account-creation/protect> and follow the instructions for enrollment using your Enrollment Code provided at the top of the letter.

2. Activate the credit monitoring provided as part of your IDX identity protection membership. The monitoring included in the membership must be activated to be effective. Note: You must have established credit and access to a computer and the internet to use this service. If you need assistance, IDX will be able to assist you.

3. Telephone. Contact IDX at 1-800-939-4170 to gain additional information about this event and speak with knowledgeable representatives about the appropriate steps to take to protect your credit identity.

4. Review your credit reports. We recommend that you remain vigilant by reviewing account statements and monitoring credit reports. Under federal law, you also are entitled every 12 months to one free copy of your credit report from each of the three major credit reporting companies. To obtain a free annual credit report, go to www.annualcreditreport.com or call 1-877-322-8228. You may wish to stagger your requests so that you receive a free report by one of the three credit bureaus every four months.

If you discover any suspicious items and have enrolled in IDX identity protection, notify them immediately by calling or by logging into the IDX website and filing a request for help.

If you file a request for help or report suspicious activity, you will be contacted by a member of our ID Care team who will help you determine the cause of the suspicious items. In the unlikely event that you fall victim to identity theft as a consequence of this incident, you will be assigned an ID Care Specialist who will work on your behalf to identify, stop and reverse the damage quickly.

You should also know that you have the right to file a police report if you ever experience identity fraud. Please note that in order to file a crime report or incident report with law enforcement for identity theft, you will likely need to provide some kind of proof that you have been a victim. A police report is often required to dispute fraudulent items. You can report suspected incidents of identity theft to local law enforcement or to the Attorney General.

5. Place Fraud Alerts with the three credit bureaus. If you choose to place a fraud alert, we recommend you do this after activating your credit monitoring. You can place a fraud alert at one of the three major credit bureaus by phone and also via Experian's or Equifax's website. A fraud alert tells creditors to follow certain procedures, including contacting you, before they open any new accounts or change your existing accounts. For that reason, placing a fraud alert can protect you, but also may delay you when you seek to obtain credit. The contact information for all three bureaus is as follows:

Credit Bureaus

Equifax Fraud Reporting
1-866-349-5191
P.O. Box 105069
Atlanta, GA 30348-5069
www.equifax.com

Experian Fraud Reporting
1-888-397-3742
P.O. Box 9554
Allen, TX 75013
www.experian.com

TransUnion Fraud Reporting
1-800-680-7289
P.O. Box 2000
Chester, PA 19022-2000
www.transunion.com

It is necessary to contact only ONE of these bureaus and use only ONE of these methods. As soon as one of the three bureaus confirms your fraud alert, the others are notified to place alerts on their records as well. You will receive confirmation letters in the mail and will then be able to order all three credit reports, free of charge, for your review. An initial fraud alert will last for one year.

Please Note: No one is allowed to place a fraud alert on your credit report except you.

6. Security Freeze. By placing a security freeze, someone who fraudulently acquires your personal identifying information will not be able to use that information to open new accounts or borrow money in your name. You will need to contact the three national credit reporting bureaus listed above to place the freeze. Keep in mind that when you place the freeze, you

will not be able to borrow money, obtain instant credit, or get a new credit card until you temporarily lift or permanently remove the freeze. There is no cost to freeze or unfreeze your credit files.

7. You can obtain additional information about the steps you can take to avoid identity theft from the following agencies. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them.

California Residents: Visit the California Office of Privacy Protection (www.oag.ca.gov/privacy) for additional information on protection against identity theft.

Kentucky Residents: Office of the Attorney General of Kentucky, 700 Capitol Avenue, Suite 118 Frankfort, Kentucky 40601, www.ag.ky.gov, Telephone: 1-502-696-5300.

Maryland Residents: Office of the Attorney General of Maryland, Consumer Protection Division 200 St. Paul Place Baltimore, MD 21202, www.oag.state.md.us/Consumer, Telephone: 1-888-743-0023.

New Mexico Residents: You have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in your credit file has been used against you, the right to know what is in your credit file, the right to ask for your credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information; consumer reporting agencies may not report outdated negative information; access to your file is limited; you must give your consent for credit reports to be provided to employers; you may limit “prescreened” offers of credit and insurance you get based on information in your credit report; and you may seek damages from a violator. You may have additional rights under the Fair Credit Reporting Act not summarized here. Identity theft victims and active duty military personnel have specific additional rights pursuant to the Fair Credit Reporting Act. You can review your rights pursuant to the Fair Credit Reporting Act by visiting www.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf, or by writing Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.

New York Residents: the Attorney General may be contacted at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; <https://ag.ny.gov/>.

North Carolina Residents: Office of the Attorney General of North Carolina, 9001 Mail Service Center Raleigh, NC 27699-9001, www.ncdoj.gov, Telephone: 1-919-716-6400.

Oregon Residents: Oregon Department of Justice, 1162 Court Street NE, Salem, OR 97301-4096, www.doj.state.or.us/, Telephone: 1-877-877-9392

Rhode Island Residents: Office of the Attorney General, 150 South Main Street, Providence, Rhode Island 02903, www.riag.ri.gov, Telephone: 1-401-274-4400

All US Residents: Identity Theft Clearinghouse, Federal Trade Commission, 600 Pennsylvania Avenue, NW Washington, DC 20580, www.consumer.gov/idtheft, 1-877-IDTHEFT (438-4338), TTY: 1-866-653-4261.